

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GERALD WILLIAMS,

Plaintiff,

v.

SONNY PERDUE,¹ Acting Secretary
of the U.S. Department of Agriculture

Defendant.

CASE NO. C17-0280-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Plaintiff's surreply (Dkt. No. 26). Plaintiff asks the Court to strike the declarations submitted with Defendant's reply, the business records attached to those declarations, and references to the evidence in the reply brief. (*Id.* at 2.)

The Court DENIES the motion to strike Ms. Grantham's declaration and exhibit, (Dkt. Nos. 22, 22-1). The information contained within the documents is responsive to Plaintiff's arguments in his opposition and not prejudicial. As to Mr. Davis's declaration and exhibits, (Dkt. Nos. 23, 23-1, 23-1), the request to respond is GRANTED. Plaintiff may provide rebuttal

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Mr. Perdue is substituted as the proper defendant.

1 evidence to refute Mr. Davis's declaration and exhibits. No further briefing or argument shall be
2 submitted. Plaintiff's evidentiary response, if any, is due on Friday, July 14, 2017. The Court
3 directs the Clerk to RENOTE the motion for summary judgment (Dkt. No. 16) for July 14, 2017.

4 DATED this 6th day of July 2017.

5 William M. McCool
6 Clerk of Court

7 s/Paula McNabb
8 Deputy Clerk